

# ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

## PLANNING COMMITTEE

### WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 1

<b>Application No.:</b>	17/00768/ADV
<b>Location:</b>	Advertising Right Farm Yard Windsor
<b>Proposal:</b>	Consent to display one internally-illuminated double-sided monolith
<b>Applicant:</b>	The Royal Borough of Windsor And Maidenhead
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Windsor Unparished/Eton With Windsor Castle Ward
<b>If you have a question about this report, please contact:</b> Greg Lester on 01628 682955 or at <a href="mailto:greg.lester@rbwm.gov.uk">greg.lester@rbwm.gov.uk</a>	

#### 1. SUMMARY

- 1.1 The proposal seeks advertisement consent to erect a freestanding monolith internally illuminated sign, consisting of an LCD screen. As the proposal is for advertisement consent, only impacts relating to public safety and amenity can be considered.
- 1.2 The sign is located in the Windsor Centre Conservation Area and Zone 2 of The Windsor Town Centre Shopfront and Advertisement Guidance. Additionally, the proposed location is in close proximity to two Grade II Listed buildings.
- 1.3 Advertisements seek to attract the public's attention and in this location, adjacent to a well used pedestrian desire line leading to Windsor and Eton Riverside Station and its proximity to the Farm Yard/Datchet Road junction, it is considered that the proposal could have an adverse impact on public safety.
- 1.4 The proposed advertisement due to its overall size, materials and method of illumination would result in the introduction of an incongruous element within the Conservation Area unnecessarily adding to the street clutter in this sensitive location. This is contrary to policies ADV1 and ADV2 of the Local Plan and would be inappropriate in the Zone 2 location, as defined by 'Shop Fronts and Advertisements in Windsor Town Centre Conservation Area.' Consistency in decision making is a well established principle in planning and given the recent approval of an identical sign in a more sensitive location, within the same Conservation Area, it is considered this is a material consideration which indicates the application should not be determined in accordance with the development plan in respect of this issue.

**It is recommended the Panel refuses advertisement consent for the reason listed in Section 9 of this report.**

#### 2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

#### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The proposal is sited on the north side of the Windsor Town Centre Conservation Area, and located to the west side of Farm Yard, opposite Windsor and Eton Riverside Station.

3.2 The site of the proposed sign is located in an area that is currently occupied by a variety of objects within the footway. These include items such as a street sign, a large tiered planter and a car park ticket machine. The sign is located on the opposite side of the road to the Windsor and Eton Riverside Railway Station, a Grade II Listed Building, and to the south east (on the opposite side of Datchet Road) lies the Royal Oak public house, also a Grade II listed Building.

3.3 The proposed sign, from the submitted details, is shown to be located immediately adjacent to the existing tiered planter. This will put the sign in close proximity to a tactile dropped kerb used by pedestrians crossing Farm Yard.

#### **4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

4.1 The proposed sign would be a freestanding double sided monolith sign with internal illumination consisting of a 55" LCD screen on one side and a fixed static non-illuminated display board on the other. The proposed monolith sign measures 2.51 metres in height, 1.09 metres in width and 0.18 metres in depth and would be manufactured from extruded aluminium and finished in black/brown powder coated paint finish. The proposed adverts would be displayed on an internally illuminated LCD panel within the monolith measuring 1209mm x 680mm.

#### **5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

5.1 National Planning Policy Framework Sections:-

- ☐ Section 12 – Conserving and enhancing the historic environment
- ☐ Paragraph 67- Advertisements

National Planning Policy Guidance

- ☐ Advertisements – view at:  
<https://www.gov.uk/guidance/advertisements>

#### **Royal Borough Local Plan**

5.2 The main strategic planning considerations applying to the site and the associated policies are:

Conservation Area	Advertisement
CA2, LB2	ADV1, ADV2

#### **Supplementary planning documents**

Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:

[https://www3.rbwm.gov.uk/downloads/download/501/placemaking\\_and\\_design](https://www3.rbwm.gov.uk/downloads/download/501/placemaking_and_design)

- ☐ RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area – view at:  
[https://www3.rbwm.gov.uk/downloads/file/742/shopfronts\\_and\\_advertisements\\_in\\_windsor\\_town\\_centre\\_conservation\\_area](https://www3.rbwm.gov.uk/downloads/file/742/shopfronts_and_advertisements_in_windsor_town_centre_conservation_area)
- ☐ RBWM Windsor Town Centre Conservation Area Appraisal (parts 1-6) – view at:  
[https://www3.rbwm.gov.uk/downloads/download/216/conservation\\_areas](https://www3.rbwm.gov.uk/downloads/download/216/conservation_areas)

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

## 6. EXPLANATION OF RECOMMENDATION

6.1 Advertisements may only be controlled with regard to two material considerations:

- ☐ Public safety – matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians, or distraction of drivers or confusion with traffic signs; and
- ☐ Amenity – The effect of advertisement(s) on the appearance of buildings or the immediate vicinity of where they are displayed

### Impact on Public Safety

- 6.2 The proposed sign would be located on an area of pavement that is already occupied by 2 street lamps, 1 road sign, a parking ticket dispenser, a large tiered planter, a litter bin and a telecoms cabinet. The advertisement would be located immediately adjacent to a tactile paved dropped kerb connecting to Windsor and Eton Riverside Station, a strong pedestrian desire line.
- 6.3 The Planning Practice Guidance states *“all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. For example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards.”*
- 6.4 It is considered that the proposed siting of the double sided monolith sign and its purpose i.e. to attract attention would give rise to conditions that would be prejudicial to conditions of pedestrian and vehicular safety. Adjacent to a pedestrian dropped kerb serving the “desire line” to the station the sign would have the potential to attract passers by resulting in people congregating around the sign thereby causing an unnecessary obstruction to pedestrians attempting to cross the road. There is also the possibility of drivers being distracted. In light of these issues it is considered that

the proposal would have an adverse impact on public safety contrary to Policy ADV1 and national planning policy.

### **Impact on Amenity**

6.5 Policy ADV1 states that *'proposals for the display of new, or the retention of existing advertisements will be considered on their individual merits, but in general the Borough Council will not permit the display of signs which would be out of keeping with the style or character of a building or its surroundings'*.

6.6 Policy ADV2 sets out criteria for the design of advertisements within Conservation Areas these criteria state that:

- ☐ *Signs shall be either painted or individually lettered in a suitable material of an appropriate size and design in relation to the building upon which they are to be displayed.*
- ☐ *Signs shall preferably be non-illuminated. Where illumination is necessary it should be discreet and full details of the method or illumination and a measurement of the maximum sign face luminance should be submitted.*

6.7 The site is located within the Windsor Town Centre Conservation Area, and is located within an area defined as Zone 2 by the Shopfronts and Advertisements in Windsor Town Centre Conservation Area. This states that within Zone 2, where a proposal falls outside the defined street areas, which is the case with the proposal, hanging and projecting signs *may* be illuminated either with strip lights or spots assessed on the merits of their design. Whilst the proposal is not a hanging or projecting sign, it is reasonable to apply the same principles to the acceptability of freestanding signs in the same area.

6.8 The proposed advertisement due to its overall size, materials and method of illumination would result in the introduction of an incongruous element within the Conservation Area unnecessarily adding to the street clutter in this sensitive location. This is contrary to policies ADV1 and ADV2 of the Local Plan and would be inappropriate in the Zone 2 location, as defined by 'Shop Fronts and Advertisements in Windsor Town Centre Conservation Area.' The proposal would cause less than substantial harm and it is not considered the public benefit would outweigh this harm.

6.9 Notwithstanding the above, a proposal for a similar sign (application 17/00769/ADV) to be located in a more sensitive position closer to Windsor Castle and within the environs of a Grade II Listed building was recently permitted and is a material consideration in the determination of the current application. The proposal was approved on the basis that it would have a neutral impact on the character of the Conservation Area, ensuring it would be preserved.

6.10 Therefore, in light of the above recent decision, which weighs in favour of this application, it is considered that, on balance, the proposal would have a neutral impact on the character and appearance of the Conservation Area, preserving its designation.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

1 occupier was notified directly of the application.

The planning officer posted a notice advertising the application at the site on 26 April 2017.

In addition the proposal was publicised in the Maidenhead and Windsor Advertiser on 30 March 2017.

No letters of representation were received.

### **Statutory Consultees**

Consultee	Comment	Where in the report this is considered
RBWM Conservation Officer:	Objection. The monolith would fail to comply with policy ADV2 of the Councils Local Plan and would be inappropriate in the Zone 2 location, as defined by 'Shop Fronts and Advertisements in Windsor Town Centre Conservation Area'	Please see paragraphs 6.5 - 6.10

## **8. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

## **9. If the Panel agrees the recommendation, the application is refused for the following reason:**

- 1 The proposed siting of the double sided monolith sign would give rise to conditions that would be prejudicial to conditions of pedestrian and vehicular safety. Adjacent to a pedestrian dropped kerb serving the "desire line" to the station the sign would have the potential to attract passers by resulting in people congregating around the sign thereby causing an unnecessary obstruction to pedestrians attempting to cross the road. There is also the possibility of drivers being distracted. In light of these issues it is considered that the proposal would have an adverse impact on public safety contrary to Policy ADV1 and national planning policy.